

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: James B. Copelan  
Serial No.: 09/729,888  
Filed: 12/04/00  
For: A Pre-Surgical Safety, Warning, Notification, and/or Alerting Device  
Group: 3764  
Examiner: Michael A. Brown

#12

**RECORD OF TELEPHONE INTERVIEW**

Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

Applicant respectfully submits the following record of the telephone interview conducted on Tuesday, January 21, 2003, at 11:30 a.m. Eastern Time. Parties to the telephone interview were Examiner Brown, and Attorneys Jeffrey Finn and Linda Gould on behalf of Applicant.

The parties generally discussed the Office Action dated October 23, 2002, without addressing any particular claim or the merits thereof. Attorney Jeffrey Finn requested that Examiner Brown issue a new Office Action in lieu of the one mailed October 23, 2002, which new Office Action would more particularly set forth how each element of the claimed invention was anticipated by the Zinreich reference. Examiner Brown agreed to provide a new Office Action designed to accommodate this request (the "New Office Action").

Furthermore, Examiner Brown acknowledged that the statutory period for reply to the Office Action dated October 23, 2002, is suspended, so that no reply is due. Instead, a new statutory period for reply will commence when the New Office Action is mailed.

Respectfully submitted,



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**FACSIMILE TRANSMISSION COVER SHEET**DATE: January 22, 2003 TIME: \_\_\_\_\_TO: Examiner Michael Brown FAX NO.: 703-872-9302TO: Jeffrey Fin FAX NO.: 213-896-6600TO: James Copelan FAX NO.: 661-296-9922RE: Serial No. 09/729,888FROM: Linda GouldTOTAL NUMBER OF PAGES TRANSMITTED 3 (including this cover sheet)DOCUMENTS: 1. Record of Telephone Interview

2. \_\_\_\_\_

COMMENTS: \_\_\_\_\_

**FAX RECEIVED****JAN 22 2003****GROUP 3700**

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